

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER SMITH, ERIC NEVILLE, and
WILLIAM VANDETTI,

Defendants.

8:20-CR-78

**PRELIMINARY ORDER OF
FORFEITURE**

This matter is before the Court upon the United States of America's Motion for Preliminary Order of Forfeiture, [Filing 150](#). The Court reviews the record in this case and, being duly advised in the premises, finds as follows:

1. On May 13, 2021, the Court held a change of plea hearing and defendant Vandetti entered into a plea of guilty to Count One of the Superseding Indictment and agreed to the forfeiture of \$6,645 U.S. currency in the Forfeiture Allegation. [Filing 93](#).
2. On August 18, 2021, the Court held a change of plea hearing and defendant Neville entered a plea of guilty to Counts One, Six, Seven, and Eight of the Superseding Indictment. [Filing 122](#).
3. On November 22, 2021, defendant Smith entered into a plea agreement, pleading guilty to Counts One, Two, and Three of the Superseding Indictment and agreeing to the forfeiture of \$3,000 U.S. currency in the Forfeiture Allegation. [Filing 147](#).
4. The Forfeiture Allegation of the Superseding Indictment alleged the following Property was derived from proceeds obtained, directly or indirectly, as a result of the violation and/or was used, or intended to be used, to commit or facilitate the violation:

- a. The \$1,210.00 United States currency seized from Christopher Smith on or about December 18, 2019;

- b. The \$1,790.00 United States currency seized from Christopher Smith on or about February 28, 2020;
 - c. The \$6,645.00 United States currency seized from Eric Neville, and William Vandetti on or about February 28, 2020.
- 2. As a result of these pleas, defendants' interests in the Property are forfeited to the United States.
 - 3. The United States is entitled to possession of the Property. [21 U.S.C. § 853](#).
 - 4. The Motion for Preliminary Order of Forfeiture should be granted. Accordingly,

IT IS ORDERED:

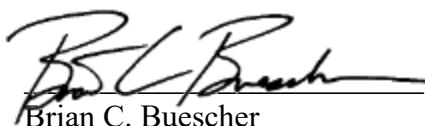
- A. The Motion for Preliminary Order of Forfeiture, [Filing 150](#), is hereby granted;
- B. Defendants' interests in the Property are hereby forfeited to the United States;
- C. The United States is hereby authorized to seize the Property;
- D. The United States shall hold the Property in its secure custody and control;
- E. Pursuant to [21 U.S.C. §853\(n\)\(1\)](#), the United States shall publish notice of this Preliminary Order of Forfeiture for at least thirty consecutive days on an official internet government forfeiture site, www.forfeiture.gov. The United States may also, to the extent practicable, provide direct written notice to any person known to have an interest in the Property;
- F. Pursuant to [21 U.S.C. § 853\(n\)\(2\)](#), notice shall provide that any person, other than defendant, having or claiming a legal interest in the Property must file a petition with this Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier;

G. Pursuant to 21 U.S.C. § 853(n)(3), a petitioner must sign the petition under penalty of perjury and set forth the nature and extent of the petitioner's right, title or interest in the Property and any additional facts supporting the petitioner's claim and the relief sought;

H. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture addressing all interests.

Dated this 3rd day of December, 2021.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B.C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge